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**Applicant 30379**  
**Application: 09/683,685**  
**Art Unit: 2188**

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<b>To:</b> Commissioner for Patents, Unit 2188	<b>From:</b> Aleksandar Susnjar
<b>Fax:</b> (703) 872-9306	<b>Pages:</b> 30 (THIRTY) including this cover page
<b>Phone:</b>	<b>Date:</b> 9/1/2004
<b>Re:</b> Communication Paper 20040817	<b>CC:</b>

Please find the included response to communication paper 20040817  
mailed August 19<sup>th</sup>, 2004.

Regards,

Aleksandar Susnjar

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(6)

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Application Number: 09/683,685  
Application Filed: 02/03/2002  
Applicant: Aleksandar Susnjar (30379)  
Title: High-Speed Disk Drive System  
Examiner: Kevin Verbrugge  
Art Unit: 2188  
Communication #: 20040831

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Markham, Ontario 2004 September 1st, Wed

To: Commissioner for Patents

**RESPONSE TO COMMUNICATION PAPER NO. 20040817**

In response to the communication 20040817 mailed August 19<sup>th</sup>, 2004 please find the following included:

- ☐ General Comments
- ☐ Request for Continued Examination (PTO/SB/30) with extension of time fee and new claims
- ☐ Response to examiner's reasoning and petition against claim restrictions
- ☐ A drawing referenced from "Response to examiner's reasoning on claim restrictions"
- ☐ PTO/SB/30 (RCE Transmittal) form
- ☐ PTO-2038 (Credit Card Payment) form

**IMPORTANT NOTE:** This communication includes fee payment forms. One of the previous fees that I had to pay was charged twice. I would appreciate if that amount (US \$165) was deducted from the fee to be paid here instead of being refunded as I am loosing with any money transaction due to currency conversion. Please also check whether I do need to pay the time extension fee at all.

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## General Comments

Examination of my invention has taken longer than expected. The application and claims did not seem to be well understood. Initial multiple dependencies between claims had to be removed which made for possibly confusing wording of the claims which, in turn, may have been the cause to incorrect interpretation and further examination.

After talking to the examiner I realized that I have to make new set of claims and attempt to word them better, in light of what I have learned about patent applications so far. The options I understood I have were:

- ☐ Have the notice of appeal filed, but applicable only to restricted (elected) set of claims
- ☐ Have the petition against restriction requirement filed for existing claims and hope it will be understood the way I intended to express application
- ☐ Having different claims by:
  - o filing a request for continued examination with amendments to existing claims
  - o filing a request for continued examination with new claims

I have already paid the fee for a response I made that was in a way both a notice of appeal and a petition against restriction. I was not aware that they have to be separate and that the appeal only applies to the elected (restricted) claims, as I viewed the appeal as something general, applying to both restriction requirement and claim rejections at the same time. The notice of appeal applicable to only restricted/elected claims does not help my application because the election was random, as I believed then and now that restriction should not have happened.

I was made aware that petition against restriction requirement usually does not get approved for whatever reason. I still believe that my reasoning is correct and that restriction requirement was wrong and that it improperly divided my invention

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into parts. For this reason it would be a proper thing to do to file a petition against this restriction requirement. However, I cannot risk my invention on this petition alone.

Taking option of having different claims can help my application by having them worded in such a way that they are less likely to be misunderstood or too broad. Amending existing claims would affect the appeal and petition processes. Filing new claims with the request for continued examination, as I understand would not. I am too pressed for time to make a proper decision about which is a proper way to go now. Since having both petition and new claims seems to allow me to postpone making this decision for later, I elected to take this approach and include better worded claims as new.

I have included the forms with the enclosed payment for the time extension fee within the first month. Please verify whether I truly do need to pay this fee. Also, please, if it is possible charge only the difference between the amount to be refunded to me and the total fee to be paid for this communication.

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## **Request for Continued Examination**

To facilitate further examination of my application please find the RCE Transmittal (PTO/SB/30) and Credit Card Payment (PTO 2038 ()) forms enclosed.

The following are new claims to be entered into the application, with this RCE. I hope that they are going to better formally describe what I claim to be the invention than my original 19 claims.

### **Claim 20 (New)**

A disk data storage device comprising of:

- one or more disks for storing data having track widths lesser than three times the maximum possible disk deformation in any direction,
- one or more actuators driving one or more head arms for each used surface,
- wherein at least two surfaces are used for storing any type of data,
- wherein each arm has a piezo-electric crystal-based fine head positioning system comprised of one or more such crystals to which heads are attached either directly or indirectly, such as via a lever, wherein the said crystals are controllably deformable to move the head in desired direction and distance,
- wherein the said fine head positioning system can move heads distant and precise enough to be able compensate for said deformations of disk material, deformations of actuator arm and deformations or production imprecision of any present components affecting relative positioning between the disks and heads or heads relative to one another,
- wherein the each of the said fine head positioning systems is independently controllable such that heads fitted on them can be independently moved into independent directions such that all the heads

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- on the same common actuator can be aligned on the same cylinder while maintaining the independence of heads on separate head arm actuators,
- wherein any or all of the heads available per surface can be used to read or write data on that surface, therefore having the ability to access data on any surface having at least one operational head for that surface,
  - logic and/or circuitry controlling all available head arm actuators and all independent fine head positioning systems wherein this logic positions all the heads on the cylinder designated for each head arm during a seek operation and maintains this position on that cylinder until a new position is needed for heads on that particular arm,
  - logic and/or circuitry capable of reading data from all (read) heads simultaneously and capable of writing data using all (write) heads

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